

REMARKS

In the Decision on Appeal, dated February 2, 2010, the Board of Patent Appeals and Interferences (“the Board”) affirmed the Examiner’s rejection of claims 1-3, 9-23, and 29-36 as anticipated under 35 U.S.C. § 102(e) by PETTERSEN; affirmed the Examiner’s rejection of claims 1, 10, 16, 17, 20, 21, and 35 as anticipated under 35 U.S.C. § 102(e) by DELPH; reversed the Examiner’s rejection of claims 4-8, 24-28, and 37 as anticipated under 35 U.S.C. § 102(e) by PETTERSEN; and entered a new ground of rejection of claims 20-37 as directed to non-statutory subject matter under 35 U.S.C. § 101.

By way of the present amendment, Applicants cancel claims 1-3, 9-23, and 29-36 without prejudice or disclaimer, and amend claims 4, 24-28, and 37 to place the application in condition for immediate allowance. No new matter has been added by way of the present amendment. Claims 4-8, 24-28, and 37 are pending.

**CLAIM CHANGES TO PLACE APPLICATION
IN CONDITION FOR ALLOWANCE**

In response to the Decision on Appeal, claim 4 has been amended into independent form, to include the features of claim 1. Therefore, claim 4 is in condition for immediate allowance.

Claims 5-8 depend from claim 4. Therefore, claims 5-8 are in condition for immediate allowance.

Claim 24 has been amended into independent form, to include the features of claim 20. Therefore, claim 24 is in condition for immediate allowance.

Claims 25-28 depend from claim 24. Therefore, claims 25-28 are in condition for immediate allowance.

Claim 37 has been amended into independent form, to include the features of claim 35. Therefore, claim 37 is in condition for immediate allowance.

For at least the foregoing reasons, Applicants respectfully request the reconsideration and withdrawal of the rejections of claims 4-8, 24-28, and 37, and submit that claims 4-8, 24-28, and 37 are in condition for immediate allowance.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

PATENT
U.S. Patent Application No. 09/706,297
Attorney's Docket No. 0023-0218

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY & HARRITY, LLP

By: /John E. Harrity, Reg. No. 43,367/

John E. Harrity
Registration No. 43,367

Date: June 28, 2010
11350 Random Hills Road
Suite 600
Fairfax, Virginia 22030
(571) 432-0800
Customer Number: 44987